



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,788	01/10/2001	Michael C. Scroggie	CAT/29US-SCRCO3	6599
31518	7590	09/17/2008	EXAMINER	
NEIFELD IP LAW, PC 4813-B EISENHOWER AVENUE ALEXANDRIA, VA 22304			JANVIER, JEAN D	
			ART UNIT	PAPER NUMBER
			3688	
			NOTIFICATION DATE	DELIVERY MODE
			09/17/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

general@neifeld.com
rneifeld@neifeld.com
rhahl@neifeld.com

Office Action Summary	Application No. 09/756,788	Applicant(s) SCROGGIE ET AL.	
	Examiner JEAN JANVIER	Art Unit 3688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-91 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-91 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Re-Open Prosecution

In view of the filing of an Appeal Brief, PROSECUTION IS HEREBY REOPENED.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

Priority

This Application claims priority, under 119(e), to Provisional RE-Examination Proceeding 60/009,244, filed on 12/26/1995. However, there is no disclosure in that Provisional Application supporting the web page embodiment, featured in fig. 16 of the Application, which was added on 12/23/1996 (See Priority document). Hence, the entire claimed invention will claim priority to PCT/US96/20497, filed on 12/23/1996 (International Filing date).

Status of the claims

Claims 32-91 are currently pending in this Application.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 57 is rejected under 35 U.S.C. 101 because the claimed invention is directed to a non-statutory subject matter and to a non-functional and non-descriptive material. Indeed, claim 57 recites a web site comprising a personal database, a purchase history database and so on. However, a web site by itself is a collection of web pages, i.e. data per se, which does not necessarily imply or involve a web server or a database. To this end, the recited web site is data per se, which does not belong to any well defined statutory class (.e.g. a method, a system, an apparatus, an article of manufacture....).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the Patent Owner regards as his invention.

Art Unit: 3688

Claims 31, 38, 44, 50 and 54 (including their dependent claims) are rejected under 35 USC 112, second paragraph as being indefinite for reciting the auxiliary verb “can”, which creates some uncertainty therein.

Claim 57 is rejected under 35 USC 112, second paragraph as being confusing for reciting a web site or data per se in the preamble, while the body of the claim contains structure or means plus function.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 32-91 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnett, 6,321,208 in view of Shane, US Patent 5,793,972.

As per claims 32, 50, 58, 38, 44 and 54, Barnett discloses a system for distributing in an interactive manner over a computer network or the Internet by an online service provider 2 of fig. 1 (via a web site) electronic coupons (Virtual coupons or purchase incentives), received from one or more coupon issuers 14 or multiple sources (manufacturers or retailers) through a coupon distributor 16, to registered users using remote computers 6 of fig. 1 wherein a central repository or database file 40 of fig. 6 associated with the online service provider 2 stores electronic coupon packages or purchasing incentives and a database file 42 (consumer database file or personal database) stores users' demographic data or profile data (such as address, income, name, e-mail address, unique user code and other information, etc.), provided by the users during an online registration process with the online service provider 2 (via the web site) and survey responses given by the users during ongoing online demographic inquiries. The consumer database file 42 of fig. 6, coupled to the online service provider 2 (web site or server), also contains users' buying history profile (i.e. online/offline shopping activity) used in conjunction with the users' demographic data, stored therein, to prepare targeted coupon packages for the individual users, wherein the coupon packages are recorded in database file 40 related to the online service provider 2 (web site or server). Upon redeeming a printed or downloaded coupon, the user will end up buying or purchasing an issuer's or a manufacturer's product or service. **See abstract; col. 8: 14-22; col. 13: 50-63; col. 8: 6-51; fig. 6.**

In an alternative embodiment of the present system, the user is provided with a visual or auditory stimulus or cue (a notice or a reminder) to suggest an access of the electronic coupon distribution system or online service provider 2 web site. Referring to FIG. 7, a message or logo may be included along with an advertising material normally provided on television, in the newspapers and the like. This will indicate to a user that he should access the online service provider 2 web site in order to obtain coupon data related to the advertised product. The availability of the coupon could be time-sensitive, which would provide further incentive to the user to use the system in a prompt and efficient manner. When radio media are used, a tonal or spoken cue may be included during the advertising message to accomplish the same result (fig. 7; col. 13: 11-23).

As per claims 32, 50 and 58, although Barnett discloses that a user's demographic information including the user's identifying data, e.g. unique code, e-mail address and so on, and the user's buying history (online/offline) is stored in database file 42 of fig. 6 (consumer database) and that the user's requested coupon data are electronically transmitted to the user's computer 6 of fig. 1 where they can be printed, however, Barnett does not expressly teach a consumer purchase history database separately storing the buying history (online/offline), nor does he mention e-mailing coupon data or purchase incentives to the user for subsequent printing.

However, Shane discloses a system for providing an interactive response to direct mail programs comprises a recipient database, a mail generator, and a web server computer (first device) operationally connected through the Internet to remote computers (second devices)

Art Unit: 3688

accessible by direct mail recipients or screened users. The recipient database stores data records containing addressing information **such as the name, mail, fax or e-mail address, and a unique personal identification code or PIN number for each direct mail recipient** (recipient database stores mailing list parameters). The user's data records or personal data are used to generate a personalized web page for the user, where promotional information can be displayed to the user. The mail generator retrieves recipient data from the database and generates a multiplicity of targeted direct mail pieces (**notices**) each displaying the name, address, and a uniform resource locator or URL containing the personal identification code for a screened or targeted recipient. **The targeted or responding recipient accesses the web server (first device) or central computer by entering the uniform resource locator or URL associated with his personalized web page and displayed on the received direct mail piece or mailer (advisory message or notices), mailed via the post office or e-mailed to the targeted recipient, into a local web browser outputted on his remote computer or second device (logging step).** The web server computer retrieves recipient data from the recipient database correlated to the personal identification code or PIN contained in the uniform resource locator and uses this recipient data to create a unique interactive web page, where the recipient or respondent views personal messages or ads (promotions) directed to his attention. It should further be understood that the personalized web page data are stored along with the user's identifier or PIN and personal data in a database and the web page data, i.e. URL or web page address, are sent to the user via e-mail to subsequently access his personalized web page, displaying the user's name, and view targeted promotions displayed thereon in accordance with the user's profile. It is

Art Unit: 3688

further understood that the user can print the received or incoming e-mail message if necessary using a printing device coupled to his computer (See abstract; figs. 1-4E; col. 2: 23 to col. 3: 10).

Moreover, it is common practice in the art to store different type of information in different and separate databases (database files) respectively and to give respective users and/or operators access rights to the stored information. For example, a system administrator may store accounting data, including account receivables, in a one database or database file and give an operator access rights to the accounting data stored therein, while marketing data, including customers' responses to surveys, purchases or purchase data, etc., may be recorded in a separate database or database file operated by one or more authorized employees, with appropriate access rights, dealing with marketing and promotion issues, wherein the databases maybe coupled to a one more servers.

Finally, storing the user's demographic information including the user's identifying data, e.g. unique code, e-mail address and so on, and the user's buying history (online/offline shopping activity) in a single or integrated database file 42 of fig. 6 or into two separate database files respectively is a matter of desires or choice, which does not impact the functionality or utility of the method or system by which targeted or customized purchase incentives or coupon packages are generated and provided to the specific user. The above conclusion is well within the level of skills of an ordinary artisan.

Thus, it would have been obvious to an ordinary skilled artisan, implementing the system of Barnett at the time of the invention, to incorporate the above disclosure into

Art Unit: 3688

the system of Barnett so as to record **the user's demographic information including the user's identifying data, e.g. unique code, e-mail address and so on, in a database file 42 of fig. 6 and the user's buying history (online/offline shopping activity) in** another and separate database or database file and to enable two different and independent operators or authorized employees, with appropriate rights, to access the respective databases or database files to separately maintain and analyze the data contained therein in order to generate individual user's profile information, based on the collected demographic data and buying history respectively, which is used to produce a merged or combined user's profile useful in crafting targeted coupon data or purchase incentives that are sent to the specific user via e-mail, wherein the content of the e-mail is subsequently printed at the user's computer 6 of fig. 1 using a printing device coupled thereto, thereby ensuring that the user's (combined) profile, generated from data contained in the database files (consumer database and consumer purchase history database respectively) and used by the issuers or sources to prepare customized coupon packages or purchase incentives e-mailed to the specific user, is accurate and independently produced by two different and independent operators or authorized employees before the result of the independent analyses is merged or combined to form the user's profile, while pro-actively targeting the user by e-mailing customized coupon data packages to the user, based on the combined profile, without the user's intervention or without the user visiting the online service provider 2 web site to view or request the coupon data packages therefrom.

Art Unit: 3688

As per claims 38, 44 and 54, although Barnett discloses that a user's demographic information including the user's identifying data, e.g. unique code, e-mail address and so on, and the user's buying history (online/offline) is stored in database file 42 of fig. 6 (consumer database) and that the user is provided with visual or auditory stimulus or cue (notice or reminder) to access the online service provider 2 web site to view or download time-sensitive coupon packages used in purchasing a manufacturer's product(s) (i.e. providing notices to the user to purchase a manufacturer's product upon redeeming an associated coupon), Barnett does not expressly teach a consumer purchase history database separately storing the buying history (online/offline), nor does he mention transmitting e-mail notices to the user to visit the online service provider 2 web site.

However, Shane discloses a system for providing an interactive response to direct mail programs comprises a recipient database, a mail generator, and a web server computer (first device) operationally connected through the Internet to remote computers (second devices) accessible by direct mail recipients or screened users. The recipient database stores data records containing addressing information **such as the name, mail, fax or e-mail address, and a unique personal identification code or PIN number for each direct mail recipient** (recipient database stores mailing list parameters). The user's data records or personal data are used to generate a personalized web page for the user, where promotional information can be displayed to the user. The mail generator retrieves recipient data from the database and generates a multiplicity of targeted direct mail pieces (**notices**) each displaying the name, address, and a

Art Unit: 3688

uniform resource locator or URL containing the personal identification code for a screened or targeted recipient. **The targeted or responding recipient accesses the web server (first device) or central computer by entering the uniform resource locator or URL associated with his personalized web page and displayed on the received direct mail piece or mailer (advisory message or notices), mailed via the post office or e-mailed to the targeted recipient, into a local web browser outputted on his remote computer or second device (logging step).** The web server computer retrieves recipient data from the recipient database correlated to the personal identification code or PIN contained in the uniform resource locator and uses this recipient data to create a unique interactive web page, where the recipient or respondent views personal messages or ads (promotions) directed to his attention. It should further be understood that the personalized web page data are stored along with the user's identifier or PIN and personal data in a database and the web page data, i.e. URL or web page address, are sent to the user via e-mail to subsequently access his personalized web page, displaying the user's name, and view targeted promotions displayed thereon in accordance with the user's profile. It is further understood that the user can print the received or incoming e-mail message if necessary using a printing device coupled to his computer (See abstract; figs. 1-4E; col. 2: 23 to col. 3: 10).

Moreover, it is common practice in the art to store different type of information in different and separate databases (database files) respectively and to give respective users and/or operators access rights to the stored information. For example, a system administrator may store accounting data, including account receivables, in a one database or database file and give an operator access rights to the accounting data stored therein, while marketing data,

Art Unit: 3688

including customers' responses to surveys, purchases or purchase data, etc., may be recorded in a separate database or database file operated by one or more authorized employees, with appropriate access rights, dealing with marketing and promotion issues, wherein the databases maybe coupled to a one more servers.

Finally, storing the user's demographic information including the user's identifying data, e.g. unique code, e-mail address and so on, and the user's buying history (online/offline shopping activity) in a single or integrated database file 42 of fig. 6 or into two separate database files respectively is a matter of desires or choice, which does not impact the functionality or utility of the method or system by which targeted or customized purchase incentives or coupon packages are generated and provided to the specific user. The above conclusion is well within the level of skills of an ordinary artisan.

Thus, it would have been obvious to an ordinary skilled artisan, implementing the system of Barnett at the time of the invention, to incorporate the above disclosure into the system of Barnett so as to record **the user's demographic information including the user's identifying data, e.g. unique code, e-mail address and so on, in a database file 42 of fig. 6 and the user's buying history (online/offline shopping activity) in** another and separate database or database file and to enable two different and independent operators or authorized employees, with appropriate rights, to access the respective databases or database files to separately maintain and analyze the data contained therein in order to generate individual user's profile information, based on the collected demographic data and buying history respectively, which is used to produce a

Art Unit: 3688

merged or combined user's profile useful in crafting targeted coupon data or purchase incentives that can be viewed or downloaded by the user upon visiting the online service provider 2 web site subsequent to receiving e-mail notices to access the online service provider 2 web site, thereby ensuring that the user's (combined) profile, generated from data contained in the database files (consumer database and consumer purchase history database respectively) and used by the issuers or sources to prepare customized coupon packages or purchase incentives viewed or downloaded by the specific user upon visiting the online service provider 2 web site subsequent to receiving an e-mail notice/reminder in addition to other visual cues to do so, is accurate and independently produced by two different and independent operators or authorized employees before the result of the independent analyses is merged or combined to form the user's profile, while pro-actively targeting the user by sending him e-mailing notices/reminders, in addition to other visual cues, to access the said web site to view or download generated customized coupon data packages, based on the combined profile, and while rendering the coupon distribution and redemption system more effective by encouraging the user to timely visit the web site and take advantage of time-sensitive incentives stored therein.

As per claim 57, Barnett discloses a system for distributing in an interactive manner over a computer network or the Internet by an online service provider 2 of fig. 1 (via a web site) electronic coupons (Virtual coupons or purchase incentives), received from one or more coupon issuers 14 or multiple sources (manufacturers or retailers)

Art Unit: 3688

through a coupon distributor 16, to registered users using remote computers 6 of fig. 1 wherein a central repository or database file 40 of fig. 6 associated with the online service provider 2 stores electronic coupon packages or purchasing incentives and a database file 42 (consumer database file or personal database) stores users' demographic data or profile data (such as address, income, name, e-mail address, unique user code and other information, etc.), provided by the users during an online registration process with the online service provider 2 (via the web site) and survey responses given by the users during ongoing online demographic inquiries. The consumer database file 42 of fig. 6, coupled to the online service provider 2 (web site or server), also contains users' buying history profile (i.e. online/offline shopping activity) used in conjunction with the users' demographic data, stored therein, to prepare targeted coupon packages for the individual users, wherein the coupon packages are recorded in database file 40 related to the online service provider 2 (web site or server).

See abstract; col. 8: 14-22; col. 13: 50-63; col. 8: 6-51; fig. 6. First, a user initially visits the online service provider 2 web site and downloads or accesses generic or untargeted electronic coupons or coupon data stored in database file 40 associated with the online service provider 2 and the user's demographic data and coupon selection data are collected during the initial visit (prompting the user to provide personal data during a registration process) and are used to target specific coupon data packages for subsequently downloading by the user. Here, those targeted coupon data packages generated for the user or specific user are stored in the database 40 of the online service provider 2 along with uniquely created user-specific identification indicia

Art Unit: 3688

(identification code, authorization number, password or unique identifier) uniquely identifying the user or customer using or participating in the online coupon distribution system (col. 7: 55 to col. 8: 5; Claim 1 of the current reference).

Once the user joins the online coupon distribution system subsequent to the registration process, where the user is prompted to provide demographic data, during the initial visit, then the user can connect or access or log into, by inputting via a keyboard his identification number or user-specific ID (password) and/or login name, the online service provider 2 system having an associated web site where the said user can download from database 40 or central repository of the online service provider 2 targeted coupon data, received from the merchant or coupon issuer 14 (company, retailer, vendor or manufacturer) via the coupon distributor 16 and specifically directed to the user's attention and in accordance with the user's profile, to his personal computer 6 where the coupon data can be stored in a local database 30 (fig. 2), coupled to computer 6, or used by the user to print one or more coupons 70 as shown in fig. 5 using a printer 8 attached to the user's computer 6 (the user downloads the targeted coupon data from the online service provider 2 to his computer 6 having, among other things, a coupon management program 32 or coupon organizer for the management of the downloaded coupon data). Using the coupon management software 32, the user can generate virtual printable images of coupons from the downloaded coupon data and create associated shopping lists, wherein the generated virtual printable images of coupons can be stored locally in the coupon database 30 or in the online central repository 40 of the online service provider 2 for later retrieval and use (fig. 2; col. 5: 15-

Art Unit: 3688

21; col. 8: 52 to col. 9: 45) and (col. 8: 22-37; col. 8: 46-47; col. 6: 50 to col. 7: 11; col. 9: 33-52).

In one embodiment, the locally generated virtual printable images of coupons are used to obtain hard copies or printed coupons. Subsequently, one or more printed coupons are presented for redemption in the normal or conventional fashion by the specific user or customer when shopping at a desired retailer. Furthermore, the user may be conducting a business transaction with an online shopping mall, which is connected over the Internet to the online service provider 2 so as to detect in the customer's order any matching UPC code associated with a user's discount coupon, stored in database 40 of the online service provider 2, and if a matching UPC code is found, then the value of the coupon is determined in real-time and a price reduction is automatically applied to the customer's order (or the user is provided with the option to conduct an online transaction and if the user accepts this option, then a generated coupon stored in the service provider 2 database 40 and associated with the identified user can be applied to the user transaction if the required item is purchased). Moreover, the coupon data can be electronically forwarded by the user directly to a designated retail store 10 for subsequent use by the user during a redemption process thereat. In this case, it should be recognized that the user should be properly identified at the POS, since the user does not carry the printed coupon with him, before the redemption can be performed using any commonly acceptable identification means or indicia such as a picture ID like a driver's license or conventional payment instruments like a credit card or debit card, etc. (Col. 11: 29-43).

In another embodiment, the entire coupon distribution can be conducted online, thereby eliminating the need for the user to print the coupon or to locally store downloaded coupon data. Here, the functions of the online service provider 2 are carried online on the Internet, wherein the identified user may access the coupon data repository (generated coupon data stored in D/B 40 of fig. 6) by logging into the web site related to the online service provider 2. The downloaded or local coupon management routine 32 functions are encoded with a unique user's identification number, which may be for example, the user's e-mail address. When the user requests coupon data packages from the data repository or D/B 40, the user's identification number is encrypted and sent to the web site related to online service provider 2 along with the request. Appropriate routines are implemented at the said web site to decrypt the user's identification number and compare it against a list of valid members in order to ensure the validity of the user. (See abstract; figs. 1-6 and 9; col. 4: 40 to col. 5: 61; col. 6: 65 to col. 7: 55; col. 8: 22-48; col. 10: 1-16; col. 10: 24-30; col. 10: 50-56; col. 11: 11-43; col. 13: 50-62).

In any event, following a redemption process, redeemed coupon data are transmitted by the desired retailer or POS, especially a brick and mortar store, to a coupon redemption center 13 where they are electronically read and the user-specific data are recorded in a coupon redemption database (D/B) 12. Additionally, the user's transaction data including the redeemed coupon data (redemption data or coupon usage) are provided to the coupon issuers 14 (company, retailer or manufacturer) and coupon distributors 16 of fig. 1 for integration into further marketing analysis in order to

Art Unit: 3688

provide further targeted coupon packages to the customer. In order words, the coupon issuers 14 or merchants (or coupon distributor 16) of fig. 1 utilize the user-specific data **(coupons deleted, coupon printed and demographic data, user's buying or shopping history, number of times coupons were viewed or requested or selected) along with the redemption data to generate or compile subsequent coupon packages targeted specifically or directed to the user's attention (using redemption data and online demographic inquiries to update the user's virtual coupons or electronic coupons stored in database 40)** (See abstract; col. 5: 23-34; col. 6: 58-65; col. 7: 12-20; col. 7: 36-55; col. 8: 14-21; col. 12: 26-37).

Additionally, the online service provider 2 has means to determine how many times a particular coupon was selected or viewed or requested. Coupon usage data and user's responses to online demographic inquiries are used to provide a coupon of a higher value to the user (col. 13: 24-35).

Finally, and in summary, Barnett discloses an online coupon distribution method or system for enabling a user to view and print at a remote terminal user-specific coupons based on a user profile, the method comprising the steps of:

- (a) storing in a storage device at a central location electronic coupon information pertaining to a group of coupons available;
- (b) receiving a request from a user for access to stored coupon information;
- (c) determining if the user is a registered user, and if the user is not registered:

Art Unit: 3688

i) transmitting a prompt to the remote terminal to electronically complete a user profile and transmit the user profile to the central location;

ii) receiving and storing a user profile at the central location; and

iii) downloading to the remote terminal a coupon data management software module for managing the printing of coupons, including unique user identification information;

if the user is registered, accessing the stored user profile;

(d) viewing, by a remote terminal, selected ones of the stored coupons, the selected coupons being based on user-specific information, which comprises user profile information and/or user usage history information;

(e) receiving at the central location a request to transmit to the remote terminal at least one coupon data file, the coupon data file corresponding to a user selected coupon, the coupon data file comprising various fields, including a redemption amount field and other fields, the redemption amount field being indicative of a discount provided by the coupon, the redemption amount field and at least one other field being variable in accordance with user-specific information associated with the requesting user; and

(f) transmitting to the remote terminal the at least one coupon data file to enable the user to print a coupon using the coupon data management software module.

See claim 1 of the current reference.

(Col. 12: 26 to col. 13: 63; col. 10: 15 to col. 11: 11; col. 11: 48-57; col. 9: 35-53; col. 8: 14-21; col. 7: 56 to col. 8: 5; col. 13: 11-35).

Art Unit: 3688

Please consider the entire reference.

As per claim 57, Barnett does not expressly disclose using the user's personal data, such as demographic data, to generate a unique personal web page for the user with the user specific display, sending an e-mail to the user to notify him of new incentives and updating the web page

However, Shane discloses a system for providing an interactive response to direct mail programs comprises a recipient database, a mail generator, and a web server computer (first device) operationally connected through the Internet to remote computers (second devices) accessible by direct mail recipients or screened users. The recipient database stores data records containing addressing information such as the name, mail, fax or e-mail address, and a unique personal identification code or PIN number for each direct mail recipient (recipient database stores mailing list parameters). **The user's data records or personal data are used to generate a personalized web page for the user, where promotional information can be displayed to the user.** The mail generator retrieves recipient data from the database and generates a multiplicity of targeted direct mail pieces each displaying the name, address, and a uniform resource locator or URL containing the personal identification code for a screened or targeted recipient. The targeted or responding recipient accesses the web server (first device) or central computer by entering the uniform resource locator or URL associated with his personalized web page and displayed on the received direct mail **piece or mailer (advisory message)**, mailed via the post office or e-mailed to the targeted recipient, into a local web browser outputted on his remote computer or second device (logging step). The web server computer retrieves recipient

Art Unit: 3688

data from the recipient database correlated to the personal identification code or PIN contained in the uniform resource locator and uses this recipient data to create a unique interactive web page, where the recipient or respondent views personal messages or ads (promotions) directed to his attention. It should further be understood that the personalized web page data are stored along with the user's identifier or PIN and personal data in a database and the web page data, i.e. URL or web page address, are sent to the user via e-mail to subsequently access his personalized web page, displaying the user's name, and view targeted promotions displayed thereon in accordance with the user's profile (See abstract; figs. 1-4E; col. 2: 23 to col. 3: 10).

Here, recipient database 12 stores recipient data records 22 containing recipient addressing information, such as the recipient's name and address and a unique personal identification code for each intended direct mail recipient. Typically the recipient data (mailing list) contained in the recipient data records 22 is obtained from a mailing list broker and entered or stored into the recipient database 12. **The recipient database 12 may also include demographic and tracking information for each recipient** (col. 3: 64 to col.4: 5).

Further, mail generator 14, typically located in a lettershop, is electronically coupled to recipient database 12 so as to be capable of retrieving the recipient data for each intended or targeted (via a screening or filtering process) direct mail recipient or user. Preferably, mail generator 14 of fig. 1 comprises a computer system 24 including a printer 25 for printing direct mail pieces 26 displaying thereon the name, address and uniform resource locator (or URL related to a web site) containing a unique personal identification code, for each intended recipient. Mail generator 14 also typically addresses and prepares direct mail pieces or mailers

Art Unit: 3688

26 for mailing through a postal system 28, which delivers mail pieces 26 to a plurality of locations 29, typically the home or office of each targeted or screened recipient (col. 4: 6-19).

In short, Shane discloses in fig. 4, the steps (of the method 100) carried out by apparatus 10. An advertiser (user) obtains one or more mailing lists from a list broker (by leasing or purchasing the mailing lists), wherein the mailing lists (raw data) are sent to a data house, along with any in-house lists and suppression lists that the advertiser has previously generated (Block 102). The data contained on the mailing and in-house lists are processed or filtered to eliminate duplicates and to prevent mail from being sent to certain individuals or addresses on the suppression lists, which the advertiser has previously determined would be inappropriate, to generate a recipient database 12 (screening the mailing lists to eliminate duplicate names or to prevent delivery to certain recipients' in a suppression list based at least on their addresses or locations, etc -Block 104) (using a modified or screened mailing list of recipients to send the mailing pieces to). In a typical direct mailing, the direct mail pieces 26 would then be printed by merging a pre-prepared form letter with data from the mailing lists, and the direct mail pieces or mailers 26 would be prepared for mailing and deposited with the post office 28. It is herein contemplated that the user's web page is constantly updated with information or advertising data provided by the advertisers (col. 5: 63 to col. 6: 11).

See abstract; figs. 1-4; col. 2: 22 to col. 3: 32.

Furthermore, the creation of a private (personal) home page or web page is well documented in the art at the time the present invention was recorded.

Art Unit: 3688

Therefore, an ordinary skilled artisan, implementing the Barnett's system, would have been motivated at the time of the invention, without reading the present specification, to incorporate the personalized web page of Shane into the targeted coupon distribution of Barnett so as to use the user's personal information, such as demographic data, to generate a personalized web page, having a specific URL or web address, for the user, to store the user's web page data along with the user's identifier or code in a database, send an advisory message or an e-mail along with the web page unique address to the user inviting him to visit his personal web page, displaying his name in a personal greeting, to view newly targeted generated coupons or purchase incentives that will be displayed on the user's personalized web page (private home page), thereby rendering the targeted coupon distribution system more personal or more appealing to the user by displaying targeted generated coupons directed to the user's attention, contingent upon the user's demographics, user's coupon usage data and historical buying, on the user's personal web page or private home page or customized interface when the user visits the private home page or web page by inputting into a local browser address field the unique web page URL or web address featured in the e-mail notification sent to the user, while becoming more pro-active and effective by transmitting an invitation to the user to visit his personal web page to view targeted or customized coupons or purchase incentives, that can be consumed immediately or in real-time, once they are being generated rather than passively waiting for the user to visit the online service provider 2 web site to browse, request, view,

Art Unit: 3688

select and print targeted coupons displayed thereon, especially when the generated coupons carry or have a short expiration date.

As per claims 33-37, 39-43, 45-49, 51-53, 55-56, 59-91, Barnett discloses, among other things, a system for distributing in an interactive manner over a computer network or the Internet by an online service provider 2 of fig. 1 (via a web site) electronic coupons (Virtual coupons or purchase incentives), received from one or more coupon issuers 14 or multiple sources (manufacturers or retailers) through a coupon distributor 16, to registered users using remote computers 6 of fig. 1 wherein a central repository or database file 40 of fig. 6 associated with the online service provider 2 stores electronic coupon packages or purchasing incentives and a database file 42 (consumer database file) stores users' demographic data or profile data (such as address, income, name, e-mail address, unique user code and other information, etc.), provided by the users during an online registration process with the online service provider 2 (via the web site) and survey responses given by the users during ongoing online demographic inquiries. The consumer database file 42 of fig. 6, coupled to the online service provider 2 (web site or server), also contains users' buying history profile (i.e. online/offline shopping activity) used in conjunction with the users' demographic data, stored therein, to prepare targeted coupon packages for the individual users, wherein the coupon packages are recorded in database file 40 related to the online service provider 2 (web site or server). **See abstract; col. 8: 14-22; col. 13: 50-63; col. 8: 6-51; fig. 6.**

Art Unit: 3688

In an alternative embodiment of the present system, the user is provided with a visual or auditory stimulus or cue (a notice or a reminder) to suggest an access of the electronic coupon distribution system or online service provider 2 web site. Referring to FIG. 7, a message or logo may be included along with an advertising material normally provided on television, in the newspapers and the like. This will indicate to a user that he should access the online service provider 2 web site in order to obtain coupon data related to the advertised product. The availability of the coupon could be time-sensitive, which would provide further incentive to the user to use the system in a prompt and efficient manner. When radio media are used, a tonal or spoken cue may be included during the advertising message to accomplish the same result (fig. 7; col. 13: 11-23).

First, a user initially visits the online service provider 2 web site and downloads or accesses generic or untargeted electronic coupons or coupon data stored in database file 40 associated with the online service provider 2 and the user's demographic data and coupon selection data are collected during the initial visit (prompting the user to provide personal data during a registration process) and are used to target specific coupon data packages for subsequently downloading by the user. Here, those targeted coupon data packages generated for the user or specific user are stored in the database 40 of the online service provider 2 along with uniquely created user-specific identification indicia (identification code, authorization number, password or unique identifier) uniquely identifying the user or customer using or participating in the online coupon distribution system (col. 7: 55 to col. 8: 5; Claim 1 of the current reference).

Art Unit: 3688

Once the user joins the online coupon distribution system subsequent to the registration process, where the user is prompted to provide demographic data, during the initial visit, then the user can connect or access or log into, by inputting via a keyboard his identification number or user-specific ID (password) and/or login name, the online service provider 2 system having an associated web site where the said user can download from database 40 or central repository of the online service provider 2 targeted coupon data, received from the merchant or coupon issuer 14 (company, retailer, vendor or manufacturer) via the coupon distributor 16 and specifically directed to the user's attention and in accordance with the user's profile, to his personal computer 6 where the coupon data can be stored in a local database 30 (fig. 2), coupled to computer 6, or used by the user to print one or more coupons 70 as shown in fig. 5 using a printer 8 attached to the user's computer 6 (the user downloads the targeted coupon data from the online service provider 2 to his computer 6 having, among other things, a coupon management program 32 or coupon organizer for the management of the downloaded coupon data). Using the coupon management software 32, the user can generate virtual printable images of coupons from the downloaded coupon data and create associated shopping lists, wherein the generated virtual printable images of coupons can be stored locally in the coupon database 30 or in the online central repository 40 of the online service provider 2 for later retrieval and use (fig. 2; col. 5: 15-21; col. 8: 52 to col. 9: 45) and (col. 8: 22-37; col. 8: 46-47; col. 6: 50 to col. 7: 11; col. 9: 33-52).

In one embodiment, the locally generated virtual printable images of coupons are used to obtain hard copies or printed coupons. Subsequently, one or more printed coupons are presented for redemption in the normal or conventional fashion by the specific user or customer when shopping at a desired retailer. Furthermore, the user may be conducting a business transaction with an online shopping mall, which is connected over the Internet to the online service provider 2 so as to detect in the customer's order any matching UPC code associated with a user's discount coupon, stored in database 40 of the online service provider 2, and if a matching UPC code is found, then the value of the coupon is determined in real-time and a price reduction is automatically applied to the customer's order (or the user is provided with the option to conduct an online transaction and if the user accepts this option, then a generated coupon stored in the service provider 2 database 40 and associated with the identified user can be applied to the user transaction if the required item is purchased). Moreover, the coupon data can be electronically forwarded by the user directly to a designated retail store 10 for subsequent use by the user during a redemption process thereat. In this case, it should be recognized that the user should be properly identified at the POS, since the user does not carry the printed coupon with him, before the redemption can be performed using any commonly acceptable identification means or indicia such as a picture ID like a driver's license or conventional payment instruments like a credit card or debit card, etc. (Col. 11: 29-43).

In another embodiment, the entire coupon distribution can be conducted online, thereby eliminating the need for the user to print the coupon or to locally store

Art Unit: 3688

downloaded coupon data. Here, the functions of the online service provider 2 are carried online on the Internet, wherein the identified user may access the coupon data repository (generated coupon data stored in D/B 40 of fig. 6) by logging into the web site related to the online service provider 2. The downloaded or local coupon management routine 32 functions are encoded with a unique user's identification number, which may be for example, the user's e-mail address. When the user requests coupon data packages from the data repository or D/B 40, the user's identification number is encrypted and sent to the web site related to online service provider 2 along with the request. Appropriate routines are implemented at the said web site to decrypt the user's identification number and compare it against a list of valid members in order to ensure the validity of the user. (See abstract; figs. 1-6 and 9; col. 4: 40 to col. 5: 61; col. 6: 65 to col. 7: 55; col. 8: 22-48; col. 10: 1-16; col. 10: 24-30; col. 10: 50-56; col. 11: 11-43; col. 13: 50-62).

In any event, following a redemption process, redeemed coupon data are transmitted by the desired retailer or POS, especially a brick and mortar store, to a coupon redemption center 13 where they are electronically read and the user-specific data are recorded in a coupon redemption database (D/B) 12. Additionally, the user's transaction data including the redeemed coupon data (redemption data or coupon usage) are provided to the coupon issuers 14 (company, retailer or manufacturer) and coupon distributors 16 of fig. 1 for integration into further marketing analysis in order to provide further targeted coupon packages to the customer. In other words, the coupon issuers 14 or merchants (or coupon distributor 16) of fig. 1 utilize the user-specific data

Art Unit: 3688

(coupons deleted, coupon printed and demographic data, user's buying or shopping history, number of times coupons were viewed or requested or selected) along with the redemption data to generate or compile subsequent coupon packages targeted specifically or directed to the user's attention (using redemption data and online demographic inquiries to update the user's virtual coupons or electronic coupons stored in database 40) (See abstract; col. 5: 23-34; col. 6: 58-65; col. 7: 12-20; col. 7: 36-55; col. 8: 14-21; col. 12: 26-37).

Additionally, the online service provider 2 has means to determine how many times a particular coupon was selected or viewed or requested. Coupon usage data and user's responses to online demographic inquiries are used to provide a coupon of a higher value to the user (col. 13: 24-35).

Finally, and in summary, Barnett discloses an online coupon distribution method or system for enabling a user to view and print at a remote terminal user-specific coupons based on a user profile, the method comprising the steps of:

(a) storing in a storage device at a central location electronic coupon information pertaining to a group of coupons available;

(b) receiving a request from a user for access to stored coupon information;

(c) determining if the user is a registered user, and if the user is not registered:

i) transmitting a prompt to the remote terminal to electronically complete a user profile and transmit the user profile to the central location;

ii) receiving and storing a user profile at the central location; and

Art Unit: 3688

iii) downloading to the remote terminal a coupon data management software module for managing the printing of coupons, including unique user identification information;

if the user is registered, accessing the stored user profile;

(d) viewing, by a remote terminal, selected ones of the stored coupons, the selected coupons being based on user-specific information, which comprises user profile information and/or user usage history information;

(e) receiving at the central location a request to transmit to the remote terminal at least one coupon data file, the coupon data file corresponding to a user selected coupon, the coupon data file comprising various fields, including a redemption amount field and other fields, the redemption amount field being indicative of a discount provided by the coupon, the redemption amount field and at least one other field being variable in accordance with user-specific information associated with the requesting user; and

(f) transmitting to the remote terminal the at least one coupon data file to enable the user to print a coupon using the coupon data management software module.

See claim 1 of the current reference.

(Col. 12: 26 to col. 13: 63; col. 10: 15 to col. 11: 11; col. 11: 48-57; col. 9: 35-53; col. 8: 14-21; col. 7: 56 to col. 8: 5; col. 13: 11-35).

Please consider the entire reference.

Conclusion

Any inquiry concerning this communication from the Examiner should be directed to Jean D. Janvier, whose telephone number is (571) 272-6719. The aforementioned

Art Unit: 3688

can normally be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Mr. Eric W. Stamber, can be reached at (571) 272- 6724.

Non-Official- 571-273-6719.

Official Draft : 571-273-8300

09/12/08

/J. J./

/Jean Janvier/

Primary Examiner, Art Unit 3688

/James W Myhre/

Supervisory Patent Examiner, Art Unit 3688